

ORIGINAL

FORM TO BE USED BY A PRISONER IN FILING A COMPLAINT  
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983

UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

Henry J Fordham JR.

(Enter above the full name of the plaintiff in this action)

v.

05 - 174

1. LT. William Yoga.
2. Warden Thomas Carroll This is his prison and staff,
3. and the mental Health Department of corrections. Staff  
[REDACTED] and the Delaware Correctional Center Staff  
(Enter above the full name of the defendant(s) in this action)

I. Previous lawsuits

A. Have you begun other lawsuits in state or federal courts dealing with the same facts involved in this action or otherwise relating to your imprisonment?  
YES [ ] NO [ ☒ ]

B. If your answer to A is yes, describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline).

1. Parties to this previous lawsuit

Plaintiffs \_\_\_\_\_  
\_\_\_\_\_

Defendants \_\_\_\_\_  
\_\_\_\_\_

2. Court (if federal court, name the district; if state court, name the county) \_\_\_\_\_

3. Docket number \_\_\_\_\_

4. Name of judge to whom case was assigned \_\_\_\_\_

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) \_\_\_\_\_

6. Approximate date of filing lawsuit \_\_\_\_\_

7. Approximate date of disposition \_\_\_\_\_

II. A. Is there a prisoner grievance procedure in this institution? Yes [☒] No [ ]

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure? Yes [ ] No [ ]

C. If your answer is YES,

1. What steps did you take? <sup>written letters</sup> I filed grievance one grievance on the above defendant But was told if I write him up one more time I will get hurt.

2. What was the result? The result was if I Tell anyone about The sexual abuse I will get hurt. Know one is doing any thing about the matter at hand. By L.T. Goga.

D. If your answer is NO, explain why not \_\_\_\_\_

E. If there is no prison grievance procedure in the institution, did you complain to prison authorities? Yes [ ] No [ ]

F. If your answer is YES,

1. What steps did you take? \_\_\_\_\_

2. What was the result? \_\_\_\_\_

## III. Parties

(In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of Plaintiff Henry Fordham SBI # 260756.  
 Address D.C.C. 1181 Paddock Road Smyrna, Del 19977.

(In item B below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use item C for the names, positions, and place of employment of any additional defendants.)

B. Defendant LT. William Yoga is employed as LT Correctional<sup>officer.</sup>  
Correctional officer at The Delaware Correctional Center 1181 Paddock Rd.  
Smyrna Del 19977

C. Additional Defendants [REDACTED] Warden Thomas Carroll.  
and The Department of Corrections Staff.  
and mental Health The Department of mental Health.  
Staff.

## IV. Statement of Claim

(State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheet if necessary.)

6-28-2004.  
ON around 28-2004 and sept 3-2004 Prison official LT William Yoga.  
sexually abused me. I was in the Chow Hall around 5:00PM LT William Yoga.  
called me out the Chow Hall and said I had my eye on you for along time  
He then put me in a Holding cell once there he hand cuffed me then  
the Guard began to rub his genitals on me and said nigger

## Statement of Clummin Part 2.

You tell anyone about this I will Kill you for the fear of my life and what he can do to me I Kept my mouth closed. Then the officer said you like this don't you I am going to make you like it. he then made me bend all the way down but up in the air he started touching me on my butt he pulled down my pants and he then pulled down his pants Then he Spat on his fingers he then rubbed the spit on my anal Then the correction officer penetrated me he started to move his penis in me hard I can feel him inside my anal he then was moving inside me real fast hurting me Then he Stopped and pulled Back up his pants he then pulled my pants up When the rap was over I went Back to my cell over in unit my anal was in pain I went to Clean my self a Shower and I was Bleeding from the anal on 9-3-04 around that date I went to the chow hall LT. William Yoger Called me out again he escorted me To the same room he Told me to Take off all my clothing and Told me to get naked once I got naked he Told me to Start playing with myself for the fear of my life and what he was going to do to me I started to play with myself he Told me to play with my chest but he said breast he then said get him hot he pulled down his pants Told me to get on my Knees and Suck his penis I got on my Knees I Told him I did not want to do this. he then grabbed my head and stated to make me he told me to open my mouth and give him some oral sex he said that's a order if I got to ask you one more time that he was going to write me up on a false report and have me out of the Greentree program for the fear of what he can do to me he made me give him oral sex I started to Suck him off I was looking up at him Tears runing down my face his eyes was closed he then Told me to start sucking his balls he then told me to go back to his penis he then came in my mouth and Told me to Drink it for the fear of my life and what he can do to me I Did it. He then put me in a holding cell to feed me

once the abuse was over I was mad as hell I did not know what to do and what I was in the Holding cell for. I was in the Holding cell I started kicking on the door when the assault was over and I was yelling for help know one was trying to help me or hear what I was Talking about I started yelling all he wanted was to rap me and see me naked he came in the cell and Told me To keep my mouth closed he Slapped me Twice if he hears about me Telling anyone he was going to Kill me and stop telling. I started yelling he said he was going to write me up and have me moved to the SHU and have me moved out the program



Part 3.

He went out the Cell To write me up I Blacked out I was in so much pain from what was going on so I Just Started yelling and Kicking on the doors some more. he then gave me a write up some at it was 1st time he did that to have me moved so he can take the focus off him self Till I was in the SHU and I was gone. I am suffering he had retaliated. on 9-15-04 I was Called to the front where the visiting room is at in D.C.C. I was placed in a holding cell for hours by my self, ~~my~~ <sup>MAJOR Holmes</sup> came in the cell and Told me ~~that I was moving~~ <sup>that I was moving</sup>. I Talk to mental Health about the Sexual abuse But know help was there they Told me they was going to get me some help But I never heard Back from them are anyone I informed others about the assault but no action was ever Taken.

2-17-05 I Talk with mental Health about the Sexual abuse no action was Taken. I Told Them I need some help Cause I cant Sleep are eating right and the abuse Keep playing in my head over and over and over no one is helping me. This is what leding to the suit. Know one in this prison is helping me. I writen my Judge I Told him what was going on I have not heard from him. I written him and Told him about the Sexual abuse and Know one is helping me This is what's leding to the suit, no one is trying to help me in this matter at hand.

Thank you Henry Fudham  
SBI 260556.

Claim, Suing for. in this U.S.C. 1983,

1. 778,000.00. Compensatory damages for mental and severe emotional distress.
2. \$ 3. Million For Punitive damages FROM defendant for damages specified implied in this 1983-42 Complaint in addition To all other Relief.
3. For damages for mental anguish and emotional distress. 819,000.00
4. For decratory. 177,000.00
5. For Future injurys and Nominal and Special damages 100,000.00
6. I pray for Any other Relief This Court See Fits, in This U.S.C. 1983.

Henry Fordham JR.